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IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA SOUTHERN  
DISTRICT

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U.S. DISTRICT COURT  
MIDDLE DISTRICT ALA

JAMES L. ROBINSON  
PETITIONER

VS.

CASE NO. 2006-1061-MHT

JAMES DELOACH, et. AL.  
RESPONDENTS

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MOTION TO STRIKE RESPONDENT'S  
ANSWER

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COMES NOW JAMES ROBINSON AND SEEKS THE COURT'S ORDER  
IN THE ABOVE STYLE CAUSE. ROBINSON SHOWS THE FOLLOWING:

1. THE HONORABLE JUDGE ORDER DATED FEBRUARY 23RD, 2007 IS SPECIFICALLY STATED: (1) WHETHER CORRECTION OFFICIALS MARKED AND RETURN LEGAL MAIL TO STATE COURT AS REFUSED, AND (2) WHETHER ROBINSON SHOULD BE ALLOWED OUT OF TIME APPEAL.
2. RESPONDENT'S REQUESTED FROM THIS ORDER TWO (2) EXTENSION OF TIME TO ANSWER. RESPONDENT'S ANSWER IN AND BEFORE THIS HONORABLE COURT WAS THAT FULL INVESTIGATION WAS COMING.
- (A) RESPONDENT'S VERY EXHIBITS ARE MISLEADING WHERE THE INCIDENT REPORT FAIL TO PROVIDE TRUE FACTS FOR ANY STATE OFFICIAL TO MARK ROBINSON'S MAIL REFUSED. RESPONDENT'S HAVE NOT OFFERED ANY EVIDENCE

TO ESTABLISH THAT ROBINSON REFUSED TO HAVE HIS U.S. INCOME TAX INSPECTED. RESPONDENT'S VERY DOCUMENT REQUIRES A FULL FACTUAL REPORT TO SUBSTANTIATE A CLAIM. THE DOCUMENT IS TOTALLY FABRICATED AND FALSE, USED IN BAD FAITH BEFORE THIS COURT TO UNDER-MINE THE ORDERLY JUDICIAL PROCEEDINGS.

(B). RESPONDENT'S EXHIBIT 'B' ROBINSON'S LETTER TO COMMISSIONER ALLEN IS PROOF THAT ROBINSON DID NOTHING TO HAVE HIS STATE COURT MAILED TO BE MAILED REFUSED. ROBINSON SINCE HIS ARREST INTO ADOC WAS GOVERN BY ADOC REGULATION GOVERNING INCOME TAX. ROBINSON BY LETTER TO COMMISSIONER ALLEN REQUESTED THE CONTINUING OF HIS TAX ACCORDING TO WRITTEN POLICY.

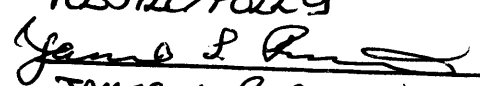
3. RESPONDENT'S ANSWER BY EXHIBIT 'A' IS WITHOUT FACTUAL PROOF TO SUPPORT THAT ROBINSON HAS SUBMITTED FALSE STATEMENTS TO THE HONORABLE COURT. HOWEVER, RESPONDENT'S CAN'T PRODUCE ANY DOCUMENT WHICH ROBINSON SERVED TO BEBB OFFICIALS TO AUDIT AND PAY. ROBINSON REFUSE INCOME TAX. RESPONDENTS HAVE USED INTENTIONAL ACTS IN BAD FAITH, AT EACH STAGE TO PREVENT THIS CASE TO PROCEED IN COURT.

4. RESPONDENT'S NOW ADMIT THAT THERE IS NO STATUTE OF LIMITATION.

5. THE UNITED STATES CONSTITUTIONAL EQUAL PROTECTION CLAIMS ARE COGNIZABLE FOR REVIEW. JONES V. WHITE, 811 F.2d 610 (11TH CIR. 1987) JONES V. WHITE, 992 F.2d 1548 (11TH CIR. 1993) IT IS WELL SETTLED THAT HABITUAL OFFENDERS ARE A GROUP IDENTIFIABLE, AND COMES FROM A LAW CODE OF ALABAMA 1975 SECTION 13A-5-9.

6. IT IS A SETTLED RULE THAT THE 14TH AMENDMENT GUARANTEES EQUAL LAWS. IN FACT ALABAMA LAW RULED BROOKS U. STATE, 622 SO. 2D 447 (ALA. CIRM. APP. 1993) THE COURT HELD: "WHILE IT IS CLEAR, IN THE PRESENT CASE, THAT THE LEGISLATURE NEED NOT HAVE GRANTED RETROACTIVE GOOD TIME TO ANY PRISONERS, THE FACT THAT IT GRANTED THOSE BENEFITS TO SOME BUT NOT TO ALL PRISONERS SIMILARLY SITUATED IMPLICATES THE EQUAL PROTECTION CLAUSE." ROBINSON'S UNITED STATES CONSTITUTIONAL CLAIMS ARE REVIEWABLE IN FEDERAL COURT, WHERE STATE COURT WAIVED THESE ISSUES, AND THEY HAVE NOT BEEN RESOLVED.

WHEREFORE, ROBINSON WHO STAND BEFORE GOD AND WHO HAS RECEIVED SALVATION SPEAKS THE TRUTH, AND HAS NOT PROVIDED ANY FALSE DOCUMENT OR REPORT. THE COURT HAS PROPER JURISDICTION TO ISSUE AN ORDER IN THIS CASE, WHERE ACTS WERE DONE BY RESPONDENTS IN BAD FAITH.

RESPECTFULLY  
  
 JAMES L. ROBINSON  
 1290 RED EAGLE ROAD  
 MONTGOMERY, AL. 36110  
 APRIL 15, 2007

#### CERTIFICATE OF SERVICE

I DO HEREBY CERTIFY AND SAY THAT I HAVE SERVED RESPONDENTS ATTORNEY, NANCY M. HERBY OFFICE OF ATTORNEY GENERAL 11 SOUTH UNION STREET MONTGOMERY, AL. 36130. DONE THIS 15TH DAY OF APRIL, 2007 PLACED IN PRISON OFFICIALS HANDS FOR PROPER POSTAGE, AND SERVICE BY ADOC LEGAL MAIL REGULATION. BY MY SIGNATURE BELOW.



JAMES K. ABRAHAMSON  
#121825 A-51  
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LEGAL MAIL

36101+0711

OFFICE OF CLERK - FEDERAL COURT  
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